



Report to: Development Services Committee

Report Date: March 20, 2017

SUBJECT: PRELIMINARY REPORT
Application for Draft Plan of Subdivision 19TM-16009 and
Official Plan Amendment by 605918 Ontario Ltd. for 8651 9th
Line, in Cornell Centre.

FILES: SU / OP 16 117108

PREPARED BY: Sally Campbell, MCIP, RPP, ext 2645
Manager, East District

REVIEWED BY: Ron Blake, MCIP. RPP. Ext. 2600
Senior Development Manager

RECOMMENDATION:

- 1) That the report entitled "PRELIMINARY REPORT, Application for Draft Plan of Subdivision 19TM-16009 and Official Plan Amendment by 605918 Ontario Ltd. for 8651 9th Line, in Cornell Centre, Files SU / OP 16 117108", be received;
- 2) That the Mayor and Clerk be authorized to execute a Construction Agreement and enter into utility and service easements with 605918 Ontario Ltd., as necessary, to allow for construction of underground services in advance of draft plan approval; and
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to provide preliminary information on applications for draft plan of subdivision and official plan amendment and to seek authorization for a construction agreement to be entered into to facilitate the installation of underground services in advance of final plan approval. A statutory public meeting will be held in April 2017 to hear the item. This report contains general information in regards to applicable official plan or other policies as well as other issues. The report should not be taken as staff's opinion or recommendation on the application.

The Applications have been deemed complete

The Draft Plan of Subdivision 19TM-16009 and official plan amendment applications were submitted by 605918 Ontario Ltd. (Niomie Massey Inc., Agent) on September 2, 2016 and deemed complete on October 3, 2016.

BACKGROUND:

The 6.92 hectare (17.10 acre) subject property is located within Cornell Centre, at the north east corner of Highway 7, east of 9th Line (See Figures 1, 2 and 3).

Surrounding land uses include:

- Markham Stouffville Hospital to the north;

- York Region Rapid Transit Corporation bus terminal site abuts the northeast portion of the subject property;
- Lands further to the east are anticipated to be developed with mid and high rise mixed use developments by 2431988 Ontario Ltd. (C.P. Capital);
- South of Highway 7, a stacked townhouse project is under construction;
- To the west, across 9th Line is an established low rise residential neighbourhood.

PROPOSAL

The development applications have been submitted for the purpose of establishing future development blocks and road alignments, as well as to confirm land use designations. Whilst mixed use mid rise and high rise buildings are anticipated to be developed in future, details pertaining to matters such as built form, architectural appearance, parking and development standards will be confirmed through zoning by-law amendment and site plan control applications to be submitted for review and approval at a future date. The draft plan (See Figure 4) proposes five development blocks and future public roads, as follows:

Block No.	Location	Description
1	North west corner of plan (9 th & Rustle Woods)	1 hectare – high density mixed-use. Building heights - 8 storeys adj. 9 th line to 18 storeys adj. to Street B in tower/podium form.
2	South west corner of plan (9 th and 7)	1.49 hectares – high density mixed-use. Building heights – 12 storeys with podium adj. 9 th line up to 18 storeys adj. to Street B with tower/podium form.
3	North east corner of the plan abutting YRRTC bus terminal	1.14 hectares – high density mixed –use. Building heights – 12 to 18 storeys in tower/podium form adj. to bus terminal.
4	Interior to the plan	0.43 hectares – park block to be conveyed into public ownership
5	South east corner of plan (Highway 7)	1.35 hectares – high density mixed –use. Building heights – 8 storeys adj. to future Arthur Bonner Ave. and 18 storeys along Highway 7 frontage in tower/podium form.
Street A	Mid-block connecting Street B to 9 th Line	18.5 metre right of way (potentially right in/out at 9 th Line)
Street B	North-south connecting Rustle Woods to Highway 7	18.5 metre right of way (potentially right in/out at highway 7)
Street C	Extension of Arthur Bonner Avenue	19.5 metre right of way
Street D	Part of future north-south road adjacent to YRRTC site.	Part of future 18.5 metre right of way to facilitate bus terminal development

Block 4 provides a 0.43 hectare (1 acre) park block, which is intended to be conveyed to the City for public park purposes at plan registration and which meets certain parkland dedication requirements as it relates to the Cornell Master Parks Agreement between the City and the Cornell Landowners Group. Additional parkland dedication requirements will be generated by the proposed increase in building height and density, which results in higher population density, particularly along the Highway 7 corridor. The Owner will be required to satisfy the remainder of the parkland requirement, which may be in the form of cash-in-lieu of parkland.

Proposed services to be constructed

605918 Ontario Ltd. (Owned by Mr. Litvack), is responsible for providing water, storm sewer and sanitary sewer services to enable the development of the YRRTC bus terminal, as well as providing sanitary sewer connections for the lands further to the east being developed by CP Capital, which is the subject of a separate recommendation report to DSC. The subject draft plan of subdivision will establish a street and block pattern that is generally consistent with the vision of the secondary plan. However, in order to comply with the Region's construction programme for the bus terminal and to satisfy certain obligations to the Cornell Landowners Group the applicant will upfront the installation of services in advance of his draft plan approval. This will require the applicant to enter into a construction agreement with the City to install the services and provide connections to the bus terminal site and to the CP Capital lands (Figure 6). It should be noted that road construction is not proposed on the subject lands at this stage and the construction agreement would relate solely to the installation of pipes under future road alignments.

OFFICIAL PLAN AND ZONINGIn-force Official Plan (Revised 1987)

The majority of the subject lands are designated 'Urban Residential' in the in-force Official Plan (Revised 1987), whereas the south portion of the site abutting Highway 7 are designated 'Commercial - Community Amenity Area' in the in-force Official Plan (Revised 1987).

Cornell Secondary Plan (OPA 168, 2008), as amended

The subject lands are within an area identified as 'Deferral 2' in the current secondary plan. Consequently, the policies of the current Cornell Secondary Plan are deferred and the policies of the former 1995 Cornell Secondary Plan (OPA 20) remain applicable until alternative land use designations are confirmed and the lands are removed from the 'Deferral 2' area. Through this official plan amendment application the land use designations on the subject lands will be confirmed. Once land use designations are in place, the Region, as the approval authority of OPA No. 168, including the deferral, will be requested to lift 'Deferral 2' as it relates to the subject lands.

Had 'Deferral 2' not been established then the 2008 Cornell Secondary Plan would apply. By way of providing some background policy context those secondary plan policies would provide for the following designations:

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- ‘Residential Neighbourhood – Cornell Centre’, which contemplates stacked townhouses and apartment dwellings, within buildings that range in height between 4 – 6 storeys with a minimum Floor Space Index (FSI) of 1.5;
 - ‘Avenue 7 Corridor – Mixed Residential’, which contemplates high density mixed use development, within buildings that range in height between 5 to 8 storeys with a minimum FSI of 2.0;
 - Site specific policies apply to a portion of the subject lands abutting 9th line to ensure appropriate transition in height where proposed development is opposite existing low density residential development.

1995 Cornell Secondary Plan (OPA 20)

With the ‘Deferral 2’ area in place the secondary plan designations from 1995 remain as the underlying designations. Notwithstanding that these policies are outdated and will no longer apply they currently provide for the following designations:

- ‘Neighbourhood General’, which contemplates low density housing, with a net site density range of 17.0 to 37.0 units per hectare (6.9 to 14.9 units per acre)
- ‘Community Amenity Area – Corridor’, which contemplates medium density residential, office and institutional uses, within buildings ranging between 2 to 6 storeys with a maximum FSI of 1.5.

2014 Official Plan (Partially Approved by the OMB October 2015 and May 2016 (the “2014 OP”))

The subject lands within Cornell Centre are identified as a Regional Corridor / Key Development Area. Until an updated secondary plan is approved for Cornell Centre the provisions of the Official Plan (Revised 1987), as amended, will continue to apply.

Update to the Cornell Centre Secondary Plan Policies

On February 17, 2015 and later on September 22, 2015 DSC received draft land use concepts for Cornell Centre as part of the secondary plan update, which was followed by a statutory Public Meeting on October 20, 2015. The policies in the draft amendment will form the policy framework for a future secondary plan for Cornell Centre. The draft amendment proposes to designate the subject lands:

- Community Amenity Area – Mixed Use 9th Line applies to the majority of the subject lands, except Block 5 on the draft plan and provides for apartment buildings, stacked townhouses (not fronting Rustle Woods Avenue or Highway 7), multi-storey non-residential or mixed use buildings and single-storey community facility buildings. This designation anticipates building heights between 4 to 12 storeys (4 to 8 storeys at the corner of Rustle Woods Ave. and 9th Line), with a minimum FSI of 2.0;
- Residential High Rise applies to Block 5 on the draft plan abutting Highway 7 and provides for mixed use apartment buildings and stacked townhouses (not fronting Highway 7). The minimum FSI is 2.5 and the contemplated building heights are 4 to 18 storeys provide for in a tower/podium built form. The contemplated maximum building heights decrease to 12 storeys providing some transition in height towards the Highway 7 and 9th Line intersection.

The proposed development complies with proposed land use designations in the draft update to the Cornell Secondary Plan and the height regime is generally being adhered to with the exception of some proposed increases in height proposed along Street B, which are being considered by staff as part of the official plan amendment application and also as part of the secondary plan update process.

Current Zoning

The subject lands are zoned Rural Residential Four (RR4) under By-law 304-87, as amended, which permits one single detached dwelling on a large rural lot and applications to rezone the subject lands to an appropriate zone category in By-law 177-96, as amended, will be required. The detailed design required to draft the implementing zoning by-law and associated development standards has not been prepared at this stage and separate applications for zoning and site plan approval will be submitted at a future date and will be subject to DSC approval.

OPTIONS/ DISCUSSION:

Matters to be resolved

The following is a brief summary of issues to be resolved prior to a staff recommendation report to Committee:

- Staff are reviewing the Planning Justification Report prepared by The Planning Partnership.
- The proposed building heights are being assessed in the context of the draft secondary plan update.
- The applicant is required to submit an updated Traffic Impact Study, which is to be coordinated with current traffic analysis work being prepared for the entire Cornell Centre to support the secondary plan update. Both traffic studies are being prepared in consultation with the City and the Region.
- A Functional Traffic Design Study will be required at a future date.
- Highway 7 and 9th Line are under the jurisdiction of the Region and the Region is a commenting agency on draft plan of subdivision application. Due to the Regional interest regarding the bus terminal Regional staff have been engaged regarding the local road network required to facilitate the opening of the bus terminal.
- The City and the Region are reviewing the detailed servicing plan with respect to the construction of watermain, sanitary and storm services in advance of final plan approval.
- The applications are subject to review by the Toronto and Region Conservation Authority (TRCA).

FINANCIAL CONSIDERATIONS AND TEMPLATE:

Not Applicable.

HUMAN RESOURCES CONSIDERATIONS

Not Applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed applications will be reviewed in the context of the City's Strategic Priorities of managing growth; managing the transportation and road network; ensuring a safe and sustainable community.

BUSINESS UNITS CONSULTED AND AFFECTED:

These applications have been circulated to various departments and external agencies and are currently under review. Requirements of the City and external agencies will be reflected in a future recommendation report.



Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager



Jim Baird, M.C.I.P., R.P.P.
Commissioner of Development Services

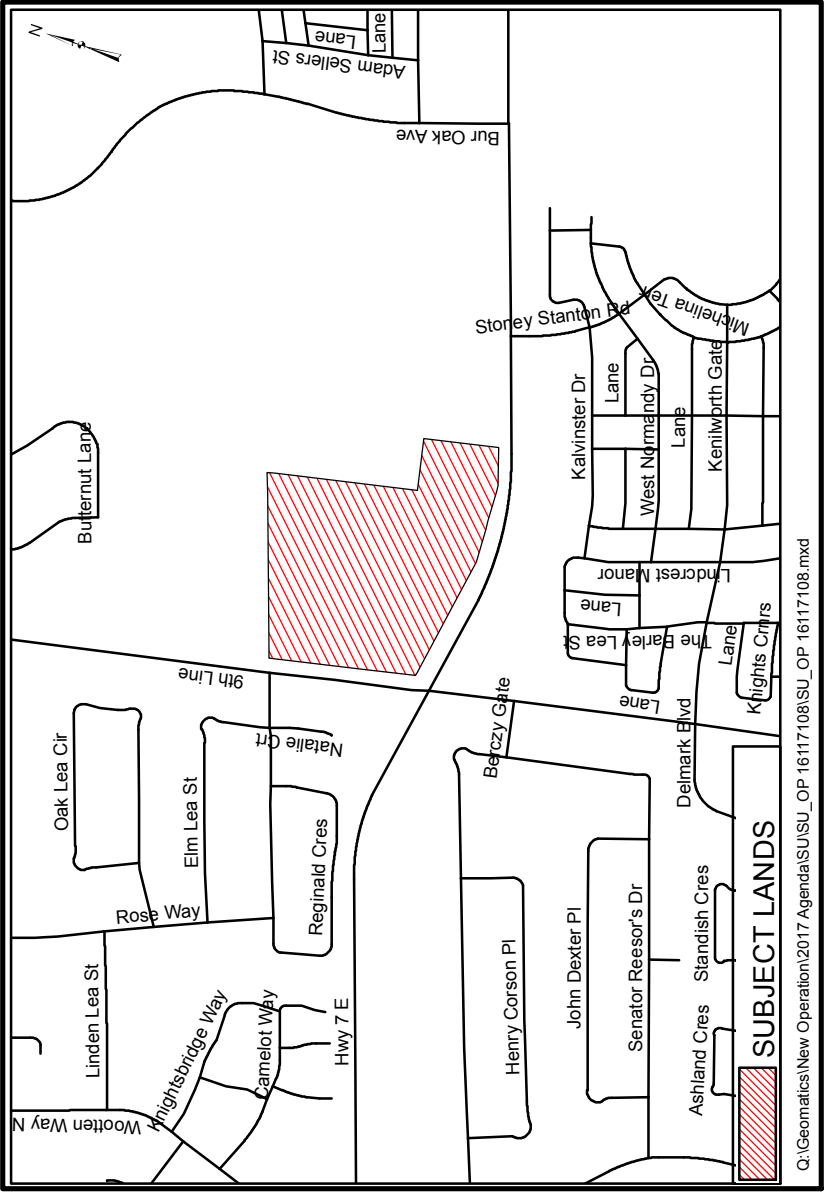
ATTACHMENTS:

- Figure 1 – Site Location.
- Figure 2 – Area and Zoning Context.
- Figure 3 – Aerial Photograph.
- Figure 4 – Proposed Draft Plan of Subdivision.
- Figure 5 – Draft update to the Cornell Secondary Plan
- Figure 6 – Service infrastructure to be constructed

OWNER/AGENT:

605918 Ontario Ltd. (Lawrence Litvack)
21 Vaughan Road
Toronto. ON.
M6G 2N2

Niomie Massey Inc. (Niomie Massey)
115 Queensdale Avenue.
Toronto. ON.
M4J 1Y5






AREA CONTEXT / ZONING

APPLICANT: 605918 ONTARIO LTD.

FILE No. OP_SU 16117108

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 SUBJECT LANDS




AIR PHOTO

APPLICANT: 605918 ONTARIO LTD.

FILE No. OP_SU_16117108

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 SUBJECT LANDS



PROPOSED DRAFT PLAN OF SUBDIVISION

APPLICANT: 605918 ONTARIO LTD.

FILE No. OP_SU 16117108

 SUBJECT LANDS

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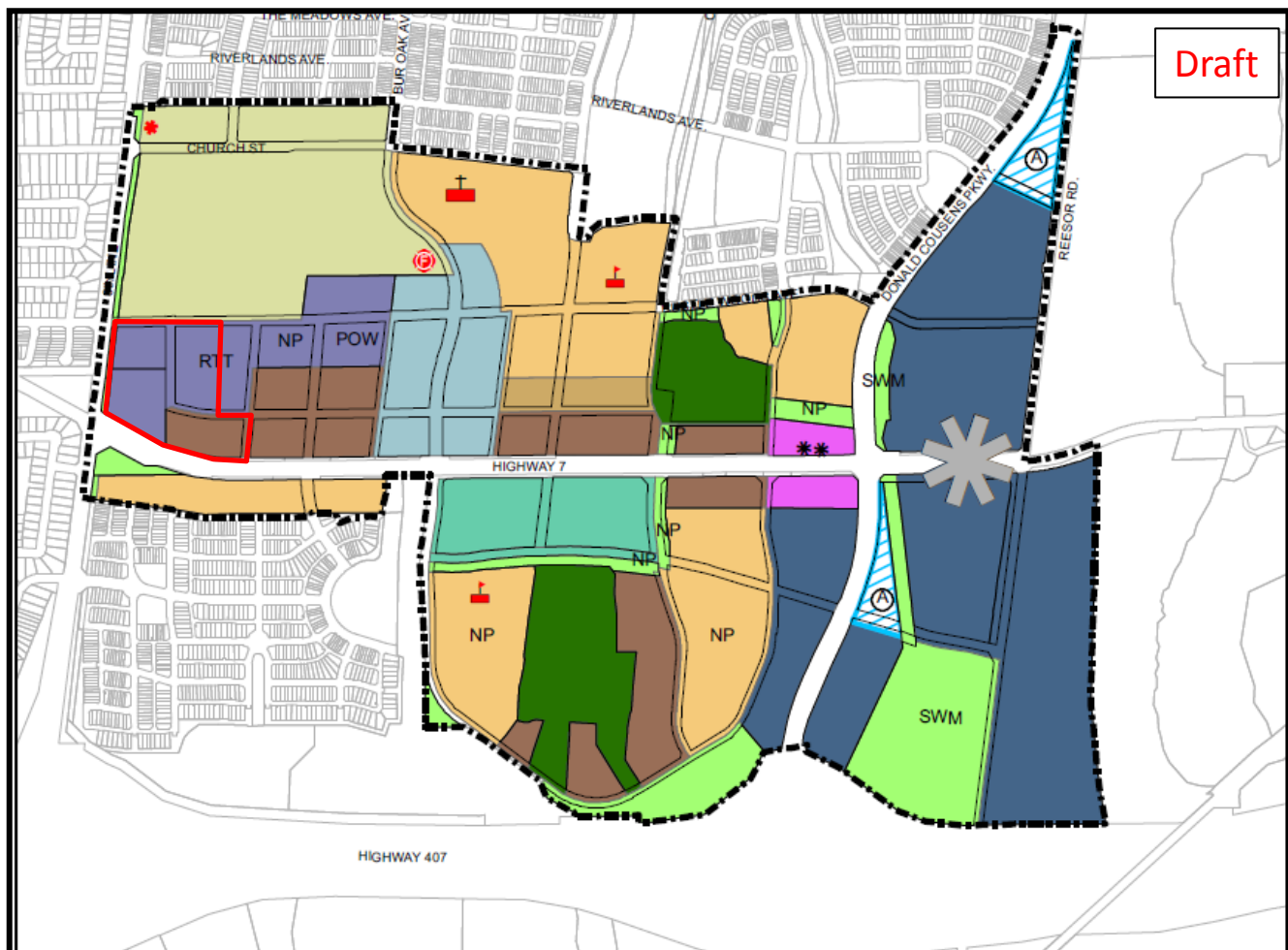
 MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: CPW


Checked By: GS

DATE: 07/03/2017

FIGURE No. 4



Amendment to Schedule 'AA' - Detailed Land Use Secondary Plan for the Cornell Planning District (PD-29-1)




 CORNELL CENTRE
BOUNDARY

 Subject
Property

COMMUNITY AMENITY AREA - MIXED USE

-  COMMUNITY AMENITY AREA - MIXED USE BUR OAK CORRIDOR
-  COMMUNITY AMENITY AREA - MIXED USE HEALTH CARE CAMPUS
-  COMMUNITY AMENITY AREA - MIXED USE 9TH LINE
-  COMMUNITY AMENITY AREA - MIXED USE HIGHWAY 7 CENTRE




EMPLOYMENT



-  BUSINESS CORRIDOR AREA - SERVICE EMPLOYMENT - AUTOMOTIVE SERVICE STATION
-  BUSINESS PARK AREA - BUSINESS PARK EMPLOYMENT
-  BUSINESS PARK AREA - BUSINESS PARK OFFICE EMPLOYMENT


RTT - REGIONAL TRANSIT TERMINAL
NP - NEIGHBOURHOOD PARK
SWM - STORM WATER MANAGEMENT
POW - PLACE OF WORSHIP





*** See Section 6.4.3.3.c

RESIDENTIAL

-  RESIDENTIAL HIGH RISE
-  RESIDENTIAL MID RISE I
-  RESIDENTIAL MID RISE II

-  ENVIRONMENTAL PROTECTION AREA - GREENWAY
-  OPEN SPACE

 ROUGE NATIONAL URBAN PARK
GATEWAY STUDY AREA (SEE SECTION 6.1.1c)

-  - EMD
-  - Fire
-  - Public Elementary School
-  - Catholic Secondary School

FILE No: MI559



Figure 5

